

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

IN RE MUTUAL FUNDS INVESTMENT
LITIGATION

* MDL 1586
*

In Re Alger, Columbia, Janus, MFS, One
Group, Allianz Dresdner and Putnam

* No. 04-15863
*

Dukes v. Columbia Acorn Fund, et al.

* No. 04-1763
*

[PROPOSED] INVESTOR CLASS ORDER

For the reasons stated in the Memorandum filed November 3, 2005, it is, this ____ day of _____, 200_

ORDERED

1. The motions filed by Columbia Management Group, Inc (N/K/A Columbia Management Group, LLC), Columbia Fund Services, Inc., Columbia Funds Distributor, Inc. (N/K/A Columbia Management Distributors, Inc.), Columbia Wanger Asset Management, L.P., Columbia Management Advisors, Inc. (N/K/A Columbia Management Advisors, LLC) are:

- (a) Denied as to all claims under the Exchange Act of 1934;
- (b) Granted as to all claims under the Securities Act of 1933 without leave to amend;
- (c) Granted as to claims under Sections 34(b) and 36(a) of the Investment Company Act and the related claims under Section 48(a) of the ICA without leave to amend;
- (d) Denied as to claims under Section 36(b) of the ICA and (as to Columbia Management Group, Inc. only) the related claims under Section 48(a) of the ICA; and

(e) Granted as to the state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

2. The motions filed by Charles P. McQuaid, Ralph Wanger, and James Tambone are:

(a) Denied as to all claims under the Exchange Act of 1934;

(b) Granted as to all claims under the Securities Act of 1933 without leave to amend;

(c) Granted as to all claims under the Investment Company Act without leave to amend;

(d) Granted as to the state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

3. The motions filed by Stephen E. Gibson and Joseph Palombo are:

(a) Deferred as to all claims under the Exchange Act of 1934;

(b) Granted as to all claims under the Securities Act of 1933 and the Investment Company Act without leave to amend;

(c) Granted as to the state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

4. All claims against Columbia Acorn Trust, Columbia Funds Trust I, Columbia Funds Trust II, Columbia Funds Trust III, Columbia Funds Trust IV, Columbia Funds Trust V, Columbia Funds Trust VI, Columbia Funds Trust VII, Columbia Funds Trust VIII, Columbia Funds Trust XI, Columbia High Yield Fund, Inc., Columbia International Stock Fund, Inc., Columbia Mid Cap Growth Fund, Inc. and Liberty Variable Investment Trust are dismissed without leave to amend.

5. The motion filed by the Independent Trustees (Charles R. Nelson, Patrick J. Simpson, Richard L. Woolworth, Janet Langford Kelly, John J. Neuhauser and Richard W. Lowry), is:

- (a) Granted as to all claims under the Securities Act of 1933 without leave to amend;
- (b) Granted as to all claims under the Investment Company Act without leave to amend;
- (c) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel; and
- (d) Deferred as to all other claims.

6. The action is stayed as against Edward J. Stern, Canary Capital Partners, LLC, Canary Investment Management, LLC, Canary Capital Partners, Ltd., Daniel G. Calugar and Security Brokerage, Inc.

7. The motions filed by Ilytat, L.P., Ritchie Capital Management, Inc., D.R. Loeser & Co., Inc., Signalert Corporation, Tandem Financial Services, Inc. and Samaritan Asset Management are:

- (a) Denied as to claims under the Exchange Act of 1934; and
- (b) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

8. The motions filed by Banc of America Securities, LLC, Bear Stearns & Co, Inc., Bear Stearns Securities Corporation, AST Trust Co. (Security Trust Company, N.A.) and Grant D. Seeger are:

- (a) Denied as to claims under the Exchange Act of 1934; and

(b) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

9. The motion filed by Bank of America Corporation is:

(a) Deferred as to all claims under the Exchange Act of 1934 except those claims as against Bank of America Corporation in its capacity as successor-in-interest to FleetBoston, for which the motion is denied;

(b) Granted as to all claims under the Securities Act of 1933 without leave to amend;

(c) Granted as to claims under Sections 34(b) and 36(a) of the Investment Company Act and the related claims under Section 48(a) of the ICA without leave to amend;

(d) Granted as to the state law claims but, if Bank of America Corporation is held to be a proper defendant, plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

10. The motions filed by Prudential Securities, Inc., Kaplan & Company Securities, Inc., Cantella & Co., Inc., Ryan Goldberg, Michael Grady, Schield Management Company, Trautman Wasserman & Company, Inc., Alan Waldbaum, Aurum Securities Corp., and Pritchard Capital Partners, LLC are:

(a) Granted as to claims under the Exchange Act of 1934 without leave to amend; and

(b) Granted as to state law claims but plaintiffs are granted leave to amend second consolidated complaints within a deadline to be set after conferring with counsel.

11. The motion filed by defendant Louis Tasiopoulos is:

(a) Deferred as to claims under the Exchange Act of 1934; and

(b) Granted as to state law claims but plaintiffs are granted leave to amend the consolidated amended class action complaint within a deadline to be set after conferring with counsel.

J. Frederick Motz
United States District Judge